

FACSIMILE TRANSMITTAL FORM	Application Number	09/866346-08/686347	RECEIVED CENTRAL FAX CENTER APR 07 2005
	Filing Date	November 8, 2001	
	First Named Inventor	Bowers, John L.	
	Art Unit	3753	
	Examiner Name	John A. Rivell	
Fax: 703-872-9306	Attorney Docket Number	54135US011	
Total Number of Pages in This Submission: 25			
Date: April 7, 2005		Attorney for Applicant: Karl G. Hanson	

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Issue Fee Transmittal <input type="checkbox"/> Amendment Transmittal	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/Declaration(s)	<input type="checkbox"/> Petition to Convert a Provisional Application	<input type="checkbox"/> Appeal Communication to Technology Center (Appeal Notice, Brief, Reply Brief)
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<input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR § 1.52 or 1.53	<input type="checkbox"/> Request for Refund <input checked="" type="checkbox"/> Request for Continued Examination (RCE) Transmittal	
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Docket No.: 54135US011

32692

Customer Number

Request for Continued Examination (RCE) Transmittal

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

First Named Inventor: Bowers, John L.
Application No.: 09/986346 08/686839
Filed: November 8, 2001
Group Art Unit: 3753
Examiner: John A. Rivell
Title: UNI-DIRECTIONAL FLUID VALVE
This is a Request for Continued Examination (RCE) under 37 CFR § 1.114 of the above-identified application.

1. Submission required under 37 CFR § 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 CFR § 1.116 previously filed on (Any unentered amendment(s) referred to above will be entered)
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on
- iii. ☐ Other
- b. ☒ Enclosed
- i. ☐ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☒ Information Disclosure Statement (IDS)/Supplemental IDS
- iv. ☐ Other
2. ☐ A Request for Extension of Time is being filed concurrently
3. **Fees** (The RCE fee under 37 CFR § 1.17(e) is required by 37 CFR § 1.114 when the RCE is filed.)
- a. ☒ The Director is hereby authorized to charge the following fees or credit any overpayments to:
- Deposit Account No. 13-3723. A duplicate copy of this letter for fees processing is enclosed.
- i. ☒ RCE fee required under 37 CFR § 1.17(e)
- ii. ☐ Other

Respectfully submitted,

April 7, 2005

Date

By:

Karl G. Hanson, Reg. No.: 32,900

Telephone No.: (651) 736-7776

Office of Intellectual Property Counsel
3M Innovative Properties Company
Facsimile No.: (651) 736-3833

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Date: April 7, 2005

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32692

Customer Number

Patent
Case No.: 54135US011

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: BOWERS, JOHN L.
 Application No.: 09/986346
 Filed: November 8, 2001
 Title: UNI-DIRECTIONAL FLUID VALVE

Group Art Unit: 3753
 Examiner: John A. Rivell

INFORMATION DISCLOSURE STATEMENT

Mail Stop: Amendment
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22133-1450

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April 7, 2005 Date	Signed by: <i>Susan M. Decko</i> Susan M. Decko

Dear Sir:

In accordance with the continuing duty of candor and good faith that is to be demonstrated before the United States Patent and Trademark Office, applicants submit copies of Answers in the civil litigation between the 3M Company and the 3M Innovative Properties Company ("3M") and Moldex-Metric, Inc. and the Louis M. Gerson Co., Inc. In both lawsuits, the defendants, Moldex-Metric, Inc. and the Louis M. Gerson Co., Inc. have filed Answers to the Complaints filed by 3M. In so doing, Moldex has filed counter-claims for a declaratory judgment of noninfringement and invalidity of U.S. Patent RE 37,974 to Bowers and U.S. Patent 6,843,248 to Japuntich et al. Moldex contends that each of these patents are invalid under 35 USC § 102 and 35 USC § 103. Moldex also asserts that both patents are invalid for "containing a specification and claims which do not meet one or more of the requirements of 35 USC § 112, i.e., written description, enablement, best mode, and definiteness."

The Louis M. Gerson Company also asserts that the claims of the '974 patent are invalid under 35 USC § 101, 35 USC § 112, and/or § 251 and under 35 USC §§ 102 and 103.

Please contact applicants' attorney if the Examiner desires more information regarding the defenses raised by each of the defendants.

Respectfully submitted,

April 7, 2005
 Date

By: *Karl G. Hanson*
 Karl G. Hanson, Reg. No.: 32,900
 Telephone No.: (651) 736-7776

Office of Intellectual Property Counsel
 3M Innovative Properties Company
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